

**To:** Olson, Erik[olson.erik@epa.gov]  
**From:** Arrazola, Ignacio  
**Sent:** Tue 2/21/2017 6:01:02 PM

## **Ex. 5 - Attorney Client**

**From:** Kamke, Sherry  
**Sent:** Tuesday, February 21, 2017 11:58 AM  
**To:** Harris, Michael <harris.michael@epa.gov>; Arrazola, Ignacio <arrazola.ignacio@epa.gov>; Egan, Robert <egan.robert@epa.gov>; Victorine, Gary <victorine.gary@epa.gov>  
**Subject:** FW: Tribal And EPA JUST Contracts Teleconference February 15, 2017

## **Ex. 5 - Attorney Client**

**From:** Barrows, Judy  
**Sent:** Tuesday, February 21, 2017 11:33 AM  
**To:** Kamke, Sherry <Kamke.Sherry@epa.gov>

## **Ex. 5 - Deliberative Process**

Thanks

**From:** Hanson, Kristen [<mailto:KHanson@ldftribe.com>]  
**Sent:** Wednesday, February 15, 2017 1:49 PM  
**To:** Barrows, Judy <[Barrows.Judy@epa.gov](mailto:Barrows.Judy@epa.gov)>  
**Cc:** [Dee.allen@ldftribe.com](mailto:Dee.allen@ldftribe.com)  
**Subject:** Tribal And EPA UST Contacts Teleconference February 15 2017

Good Morning Judy,

Below is some background information from Lac du Flambeau in advance of today's Tribal and EPA UST Contacts Teleconference Call. If any of the topics are planned during the call, I am hopeful this advance background information is useful.

### **Update on Tribal LUST Data**

We were wondering how the data put on the EPA website listing of Tribal UST/LUST data is generated. The November 2016 posted excel spreadsheet shows 8 listed LUST sites for Lac du Flambeau, but we have 27 confirmed LUST sites within the reservation that we have been working with EPA on for quite some time. I did not find Tribal database information or Tribal Site Numbers.

We are also wondering how "implementing agency" was determined in the data. The State of Wisconsin is listed as the implementing agency for Lac du Flambeau listed data. Even though we have a letter from EPA indicating that EPA is the lead at one of the sites, WDNR is listed as the implementing agency for the site. This particular site also has active Tribal Enforcement actions.

### **Update on HQ staff assigned to sites or tribes**

We understand that HQ staff have been assigned to one of our sites. How do we find out whom has been assigned? We understand staff were flown in to meet with Lac du Flambeau in December. Unfortunately, notice of the meeting was offered after hours the night prior. Our management followed the direction of the Chairman to not accept a technical meeting without an

agenda and coordination with Tribal Staff.

### **EPA access agreements at Enforcement Sites**

We have had opportunities for USGS to collect much needed site water level data as part of existing Tribally contracted projects and work. The RP/Site Owner is restricting tribal access, but EPA has a signed access agreement. So far, EPA staff have refused to allow USGS access to the site under EPA's access agreement for water elevation collection. Is there another method to accomplish the goal of free high quality data collection for USGS that has worked at another site?

Kristen Hanson

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